

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

### Listing of Claims:

Claim 1 (currently amended): An automated marketing ~~system~~ method implemented using a host controller system, comprising:

acquiring a unique user identifier, a unique merchant identifier, and a user behavior identifier at a point of transaction;

~~and~~ communicating each of the identifiers to a the host controller system over a communications network;

validating eligibility of at least one of the user identifier, the merchant identifier and the user behavior identifier to determine eligibility for participation in at least one marketing program;

performing a rate calculation processing step to determine eligibility of the user, the merchant and the user behavior for an award based on a preselected set of criteria;

assigning an award to the user when at least one preselected award criterion for determining eligibility for an award is satisfied; and

communicating information relating to delivery of an award or an updated award status condition to the point of transaction over a communications network.

Claim 2 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising maintaining databases for user identifiers, merchant identifiers and user behavior identifiers at the host controller system and updating and storing at least one of a user, merchant and user behavior file on the databases following communication of ~~and storing~~ the user, merchant and user behavior ~~identifier~~ identifiers.

Claim 3 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising making a determination of award eligibility or updated award status

condition at the host controller system and communicating information relating to delivery of an award or an updated award status condition to the user at the point of transaction.

Claim 4 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising making a determination of award eligibility or updated award status condition at the host controller system and communicating information relating to identification of the user, user behavior, ~~the delivery of an award eligibility~~, or an updated award status condition to ~~the a merchant at the point of transaction.~~

Claim 5 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising printing information relating to ~~delivery of an award eligibility~~ or an updated award status condition on a transaction receipt generated at the point of transaction.

Claim 6 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising displaying information relating to ~~delivery of an award eligibility~~ or an updated award status condition at the point of transaction.

Claim 7 (currently amended): ~~An~~ The An automated marketing ~~system~~ method according to claim 1, additionally comprising performing an award prioritization processing step after the rate calculating processing step when a transaction is eligible for multiple awards.

Claim 8 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, wherein user eligibility for participation in at least one marketing program is based on at least one of the qualifiers selected from the group consisting of: membership in a participating organization; participation in a loyalty program; participation in a gift card program; holding of a credit instrument; holding of a debit instrument; holding of an account; membership in a subscriber base; participation in a service; and simultaneous or prior purchase of qualifying good(s) or service(s).

Claim 9 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, wherein the award is expressed in an award currency selected from the group consisting of:

points, gift cards, gift certificates, instant prizes, custom coupons, merchandise, credit; services; benefits; and cash.

Claim 10 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, wherein the user behavior identifier is selected from the group consisting of: identification of predetermined item(s) purchased; identification of predetermined service(s) purchased; identification of item type purchased; identification of service type purchased; purchase price of individual item(s); purchase price of individual service(s); presence of user in a location; purchase in a location; purchase value total; purchase date; purchase time; purchase location; award delivered; and award accumulated.

Claim 11 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising ~~means for~~ modifying the eligibility of at least one of the user identifier, the merchant identifier and the user behavior identifier to determine eligibility for participation in at least one marketing program.

Claim 12 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising ~~means for~~ modifying the rate calculation processing step for determining eligibility of the user, the merchant and the user behavior for an award based on a modified set of criteria different from the preselected set of criteria.

Claim 13 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising implementing an award accelerator program, whereby successive qualifying behaviors of qualifying users at one or more qualifying merchants over a time period amplify the ~~user's~~ users' award ~~by a factor of more than one~~ compared to the previously applied award.

Claims 14 (canceled)

Claim 15 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising implementing an award decelerator program, whereby ~~a first~~

~~qualifying behavior of a qualifying user at one or more qualifying merchants produces a first award and successive qualifying behaviors of qualifying users at one or more qualifying merchants over a time period result in reduced awards~~ reduces the users' award compared to the previously applied award.

Claim 16 (canceled)

Claim 17 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, ~~wherein additionally comprising accumulating~~ qualifying customer behaviors are accumulated over a time period to calculate awards.

Claim 18 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, ~~additionally comprising accessing wherein the host controller system additionally accesses~~ user behavior historical information based on the user identifier, and performing the rate calculation processing step ~~determines the eligibility of the user, merchant and user behavior for an award~~ based, at least in part, on the user behavior historical information.

Claim 19 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, ~~additionally comprising accessing wherein the host controller system additionally accesses~~ user demographic information based on the user identifier, and performing the rate calculation processing step ~~determines the eligibility of the user, merchant and user behavior for an award~~ based, at least in part, on the user demographic information.

Claim 20 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising implementing multiple marketing programs, involving multiple merchants and/or merchant groups, upon validating the eligibility ~~validation~~ of one or more user identifier(s).

Claim 21 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising implementing multiple marketing programs, involving multiple user

identifiers or user identifier groups, upon validating the eligibility ~~validation~~ of one or more merchant identifier(s).

Claim 22 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 1, additionally comprising:

acquiring at least one transaction payment identifier at the point of transaction, wherein the user identifier and the at least one transaction payment identifier are acquired in a single step at the point of transaction.

Claim 23 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 22, wherein the single step at the point of transaction is a single examination of an identifying object.

Claim 24 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 22, wherein the single step at the point of transaction is a single card swipe and the card is a financial instrument.

Claim 25 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 22, additionally comprising ~~wherein the user identifier, the merchant identifier, the user behavior identifier, and at least one transaction payment identifier are acquired in a single step at the point of transaction; the user identifier, the merchant identifier and the user behavior identifier are communicated to the host controller over a communications network; and~~ communicating the at least one transaction payment identifier ~~is additionally communicated~~ to an appropriate financial institution or intermediate for processing.

Claim 26 (currently amended): ~~An~~ The automated marketing ~~system~~ method according to claim 25, additionally comprising separating ~~wherein the user identifier and the at least one transaction payment identifier, are separated at the point of transaction; and~~ communicating the user identifier ~~is communicated from the point of transaction to the host controller over a communications network, and~~ communicating while the at least one transaction payment

identifier is ~~communicated from the point of transaction~~ to an appropriate financial institution or intermediate for processing.

Claim 27 (currently amended): ~~An~~ The automated marketing system method according to claim 26, additionally comprising communicating wherein the at least one transaction payment identifier is ~~additionally communicated~~ to the host controller over a communications network.

Claim 28 (currently amended): ~~An~~ The automated marketing system method according to claim 25, comprising communicating the wherein user identifier and the at least one transaction payment identifier are ~~communicated~~ to the host controller over a communications network, and additionally communicating the at least one transaction payment identifier is additionally ~~communicated from the host controller~~ to an appropriate financial institution or intermediate for processing.

Claim 29 (currently amended): ~~An~~ The automated marketing system method according to claim 22, additionally comprising acquiring wherein a credit or debit account identifier is ~~acquired~~ at the point of transaction and is ~~communicated~~ communicating the credit or debit account identifier to an appropriate institution for validation and approval.

Claim 30 (currently amended): ~~An~~ The automated marketing system method according to claim 29, additionally comprising transmitting the ~~customer identifier~~ credit or debit account identifier to the ~~marketing program~~ host controller system following validation and approval of the transaction.

Claim 31 (canceled)

Claim 32 (currently amended): ~~An~~ The automated marketing system method according to claim 31, additionally comprising validating eligibility of at least one of the user identifier, the merchant identifier and user behavior identifier based on at least one preselected redemption criteria; ~~to determine eligibility for award redemption;~~  
authorizing an award redemption when at least one redemption criterion is satisfied;

updating the award status condition based on the award redemption;  
and communicating information relating to redemption of an award to the point of transaction over a communications network.

Claim 33 (currently amended): ~~An~~ The automated marketing system method according to claim 1, additionally comprising calculating a program fee for each award ~~issued~~ assigned and charging an account of a marketing program sponsor for each program fee.

Claim 34 (currently amended): ~~An~~ The automated marketing system method according to claim 33, additionally comprising amplifying wherein successive program fees for successive awards ~~issued~~ assigned to a qualifying user and/or a qualifying merchant ~~are amplified by a factor of more than one~~ compared to the a previously assessed program fee.

Claim 35 (canceled)

Claim 36 (currently amended): ~~An~~ The automated marketing system method according to claim 33, additionally comprising charging wherein the program fee is a predetermined flat fee to a marketing program sponsor based on each ~~per~~ qualifying user, merchant, and/or behavior.

Claim 37 (currently amended): ~~An~~ The automated marketing system method according to claim 33, additionally comprising charging wherein the program fee is assessed based on a predetermined percentage of a transaction amount to a marketing program sponsor based on each qualifying user behavior.

Claim 38 (currently amended): ~~An~~ The automated marketing system method according to claim 33, additionally comprising charging wherein the program fee is assessed based on a predetermined percentage of the value of the award ~~issued~~ assigned to a marketing program sponsor.

Claim 39 (currently amended): ~~An~~ The automated marketing system method according to claim 1, additionally comprising analyzing data collected relative to user identifiers ~~identifications~~

and/or merchant ~~identifiers~~ identifications and/or user behaviors and providing data relating to the analysis to qualifying merchants/~~merchant groups~~ through an Internet Website portal.

Claim 40 (currently amended): ~~An~~ The automated marketing system method according to claim 1, additionally comprising acquiring wherein a data collection device at the point of transaction acquires the user identifier, the merchant identifier and the user behavior identifier, and the data collection using a device is selected from the group consisting of: electronic registers, optical and magnetic scanners and readers, barcode scanners, magnetic strip scanners, radio frequency receivers, transaction card readers, communications devices, computers, personal digital assistants, telephones and pagers.

Claim 41 (currently amended): ~~An~~ The automated marketing system method according to claim 1, additionally comprising acquiring wherein a personal communications device acquires data relating to at least one of a the user identifier, a the merchant identifier and a the user behavior using a personal communications device and communicates the data to the host controller system over a communications network.

Claim 42 (currently amended): An automated marketing system comprising a host controller and an operating system in communication with a point of transaction device over a network interface, wherein:

accessing a user database from a the host controller system incorporates at least one user identifier database, at least one merchant database, at least one program matrix rules module, and at least one user demographic information database, the user database associating a user identifier with additional user demographic information;

the point of transaction device is capable of acquiring a user identifier, a merchant identifier and a user behavior identifier at a point of transaction and communicating each of the identifiers to the host controller system over a communications the network interface;

the host controller is capable of associating the user identifier with the additional user demographic information and validating the eligibility of the user to participate in at least one



marketing program based on the user identifier and/or the additional user demographic information;

the host controller is capable of performing a rate calculation processing step to determine eligibility of the user, the merchant and the user behavior for an award based on a preselected set of criteria stored in the program matrix rules module; and

the point of transaction device is capable of communicating information relating to delivery of an award or an updated award status condition to the point of transaction over a communications the network interface.

Claim 43 (currently amended): ~~An~~ The automated marketing system of claim 42, wherein the point of transaction device is capable of acquiring the user identifier is acquired at the point of transaction by reading user identifier information from a user card means of a credit card or a debit card.

Claim 44 (currently amended): ~~An~~ The automated marketing system of claim 42, wherein the point of transaction device is capable of acquiring the user identifier and transaction data are acquired in a single step at the point of transaction.

Claim 45 (currently amended): ~~An~~ The automated marketing system of claim 44, wherein the point of transaction device is capable of acquiring the user identifier and transaction data in single step is a single reading of a credit card or debit card.

Claim 46 (currently amended): ~~An~~ The automated marketing system of claim 43 44, wherein the point of transaction device is capable of acquiring the user identifier and transaction data in single step is a single recognition of a device having a user identifier associated with a financial identifier.

Claim 47 (currently amended): ~~An~~ The automated marketing method system of claim 1 or claim 42, in which the user identifier information is detected additionally comprising acquiring the user identifier by recognition of a number, a barcode, a fingerprint, a retinal pattern, or a radiofrequency signal.

Claim 48 (currently amended): ~~An~~ The automated marketing system method of claim 1 ~~or 42~~, in which data is transmitted additionally comprising communicating data to the host controller system via local or regional phone lines, dedicated data transmission lines, cable, cellular, personal communication systems, microwave, radio frequency, fiberoptic, global communications networks or satellite networks.

Claim 49 (currently amended): ~~An~~ The automated marketing system method of claim 1 ~~or 42~~, additionally comprising communicating in which information relating to delivery of an award or an updated award status condition is transmitted to the point of transaction via local or regional phone lines, dedicated data transmission lines, cable, cellular, personal communication systems, microwave, radio frequency, fiberoptic, global communications networks or satellite networks.

Claim 50 (currently amended): ~~An~~ The automated marketing system method of claim 1 ~~or 42~~, additionally comprising converting awards from different marketing programs into a common award currency and calculating and transferring award balances expressed in the common award currency to at the host controller system.

Claim 51 (currently amended): ~~An~~ The automated marketing system method of claim 50 1, additionally comprising validating eligibility of at least one of the user identifier, the merchant identifier and user behavior identifier to determine eligibility for award redemption, updating the award status condition ~~in the common award currency~~ based on the award redemption, and communicating information relating to the award redemption ~~of an award~~ to the point of transaction over a the communications network.

Claim 52 (currently amended): ~~An~~ The automated marketing system method of claim 50, wherein the common award currency is redeemable through ~~any~~ a plurality of participating ~~merchant~~ merchants or a merchant group.

Claim 53 (currently amended): ~~An~~ The automated marketing system method of claim 1 ~~or 42~~, additionally comprising validating the eligibility of at least one of the user identifier, the

merchant identifier and the user behavior identifier to determine eligibility for participation in multiple marketing programs.

Claim 54 (currently amended): ~~An~~ The automated marketing system method of claim 53, in which the multiple marketing programs are selected from the group consisting of: award multiplier programs; swipe and win programs; gift certificate programs; coupon programs; and instant win programs; .

Claim 55 (currently amended): ~~An~~ The automated marketing system method of claim 1 ~~or 42~~, in ~~which the host controller system administers~~ additionally comprising administering multiple marketing programs associated with multiple merchants and/or merchant groups through the host controller system ; and, following acquisition and communication of the user identifier, ~~the host controller validates eligibility of the user identifier to determine~~ determining eligibility of the user identifier for participation in multiple marketing programs.

Claim 56 (currently amended): ~~An~~ The automated marketing system method of claim 1 ~~or 42~~, additionally comprising issuing awarding gift certificates in an award currency ~~usable~~ redeemable in at least one marketing program administered by the host controller ~~system and~~ redeemable by at least one participating merchant and/or merchant group.

Claim 57 (currently amended): ~~An~~ The automated marketing system method of claim 56, in ~~which~~ additionally comprising associating the gift certificate award ~~in the award currency is~~ associated with the user identifier and ~~communicated to the host controller system, and~~ administering gift certificate redemption ~~is administered by the host controller system through~~ participating merchants and/or merchant groups.

Claim 58 (currently amended): ~~An~~ The automated marketing system method of claim 56, additionally comprising storing in which the gift certificate award information ~~is stored in the~~ is stored in the host controller system ~~in a common award currency, and is convertible and redeemable and~~ administering redemption of the gift certificate award through participating merchants and/or merchant groups in multiple currencies.

Claims 59 - 67 (canceled)

Claim 68 (new): An automated marketing method implemented using a host controller comprising:

- a. acquiring a unique user identifier, a unique merchant identifier and transaction data at a point of transaction;
- b. communicating each of the identifiers and the transaction data to the host controller system over a communications network;
- c. validating eligibility of at least one of the user identifier, the merchant identifier and the transaction data to determine eligibility for participation in at least one marketing program;
- d. accessing a program matrix rules module corresponding to the at least one marketing program at the host controller and applying rules stored in the program matrix rules module and assigning an award to the user when at least one preselected award criterion for determining eligibility for an award is satisfied; and
- d. communicating information relating to delivery of an award or an updated award status to the point of transaction.

Claim 69 (new): The automated marketing method of claim 68, additionally comprising determining eligibility of at least one of the user identifier, the merchant identifier and the transaction data to determine eligibility for a bonus benefit and assigning a bonus benefit to the user when at least one preselected bonus benefit criterion is satisfied.

Claim 70 (new): The automated marketing method of claim 68, additionally comprising determining eligibility of at least one of the user identifier, the merchant identifier and the transaction data to determine eligibility for an instant win benefit and assigning an instant win benefit to the user when at least one preselected instant win benefit criterion is satisfied.

Claim 71 (new): The automated marketing method of claim 68, additionally comprising accessing user demographic information based on the user identifier prior to accessing the program matrix rules module.

Claim 72 (new): The automated marketing method of claim 68, additionally comprising storing the transaction data and information relating to assignment of an award to the user.

Claim 73 (new): The automated marketing method of claim 68, additionally comprising prioritizing an award to the user when eligibility for multiple awards is determined.

Claim 74 (new): The automated marketing method of claim 68, additionally comprising delivering a statement to the point of transaction having a personalized message relating to a user's account.

Claim 75 (new): An automated marketing method comprising:

acquiring a unique user identifier, a unique merchant identifier, transaction data and financial account information from a transaction card at a point of transaction;

communicating each of the identifiers, the transaction data and the credit and/or debit account information to the host controller system over a communications network;

forwarding transaction data and financial account information to another institution for payment authorization;

performing a rate calculation processing step to determine eligibility of at least one of the user identifier, the merchant identifier and the transaction data for participation in at least one marketing program following receipt of payment authorization;

assigning an award to the user when at least one preselected award criterion for determining eligibility for an award is satisfied; and

communicating information relating to delivery of an award or an updated award status to the point of transaction.

Claim 76 (new): The automated marketing method of claim 75, wherein the transaction card is selected from the group consisting of: debit card, credit card, any form of commerce-related card, and membership card in any organization, group, club, coalition, and the like.

Claim 77 (new): The automated marketing method of claim 75, additionally comprising acquiring the user identifier and the transaction payment identifier in a single step at the point of transaction.